Inquiry how to be made by salt-revenue-officers against arrested persons forwarded to them under section 41.

46. (*1*) When any person is forwarded under section 44 to a salt-revenue-officer empowered to send persons so arrested to a Magistrate, the said salt-revenue-officer may detain such person and shall proceed to inquire into the charge against him.

(*2*) For this purpose the said salt-revenue-officer may exercise the like powers and shall be subject to the same provisions as the officer in charge of a police-station may exercise and be subject to, under the [1] Code of Criminal Procedure, 1882, when investigating a cognizable case : X of 1882.

(*3*) Provided that :

(*a*) if the said salt-revenue-officer shall be of opinion that there is sufficient evidence or reasonable ground of suspicion against the accused person, he shall forward him to a Magistrate having power to take cognizance of the offence ;

(*b*) if it appears to the said salt-revenue-officer that there is not sufficient evidence or reasonable ground as aforesaid, he shall release the accused on his executing a bond, with or without sureties as such salt-revenue-officer may direct, to appear, if and when so required, before a Magistrate having power as aforesaid, and make a full report of all the particulars of the case to his official superior and be guided by the order which he shall receive upon such report.

CHAPTER VIII.

PENALTIES.

For illicit manufacture of salt, etc.

47. Whoever, in contravention of this Act, or of any rule or order made under this Act, or of any license or permit obtained under this Act,—

(*a*) manufactures, removes or transports salt ; or

(*b*) excavates, collects or removes natural salt, or salt-earth ;

and whoever,

(*c*) except in the exercise of some power or the discharge of some duty conferred or imposed upon him under this Act or any other enactment at the time in force, receives [2][or is in possession of] or, without lawful excuse, retains contraband salt, knowing or having reason to believe the same to be contraband salt ;

shall for every such offence be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to six months, or with both.

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[1] *See* now the Code of Criminal Procedure, 1898 (5 of 1898), General Acts Vol. V.

[2] These words were inserted by s. 27 of Bom. Act 1 of 1901, Vol. IV of this Code.

48. Whoever, being a salt-revenue officer or a village-officer or an officer of any of the departments of Police, Customs, Opium, Abkárí, Forests or Revenue,— For offences against this Act committed by public servants.

(*a*) does any act, or is guilty of any omission, in contravention of this Act, or of any rule or order made under this Act; or,

(*b*) with intent to cause injury or annoyance to any person, vexatiously and unnecessarily makes use of any power conferred upon him under this Act;

shall for every such offence be punished with fine which may extend to five hundred rupees.

[1] [**48A.** Any salt-revenue-officer— Failure of salt-revenue-officer in duty.

(*a*) who ceases or refuses to perform or withdraws himself from the duties of his office, unless he has obtained the express written permission of the Commissioner, or has given to his superior officer two months' notice in writing of his intention or has other lawful excuse, or

(*b*) who is guilty of cowardice,

shall on conviction before a Magistrate be punished with imprisonment which may extend to three months, or with fine which may extend to three months' pay, or with both.]

49. Whoever prepares, or signs, or uses or attempts to use, an incorrect application for a permit to remove salt, or an incorrect certificate purporting to be such as is required by section 32, knowing or having reason to believe such application or certificate to be incorrect, shall, for every such offence, be punished with fine which may extend to two hundred rupees, and, in default of payment of the fine, with simple imprisonment for a term which may extend to one month. For preparing or using incorrect application for a permit, or an incorrect certificate under section 32.

50. All contraband salt, and every vessel, animal or conveyance used, or intended to be used, in carrying contraband salt, and What things are liable to confiscation.

all goods, packages and coverings in or among which contraband salt is found, and

every apparatus, implement, utensil or material employed, or intended to be employed, for the manufacture, excavation, collection or removal of salt without a license or for the purpose of utilizing natural salt or salt-earth contrary to any of the provisions of this Act or of any rule made hereunder, shall be liable to confiscation.

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[1] Section 48A was inserted by s. 2 of Bombay Salt (Amendment) Act, 1922 (Bom. Act 10 of 1922), Vol. V of this Code.